

## ADJOURNED ANNUAL TOWN MEETING MAY 19, 2014

### ADJOURNED ANNUAL TOWN MEETING

MAY 19, 2014

#### PROCEEDINGS

The meeting was called to order and declared open by the Moderator, George A. Balko III, at 7:45 p.m. at Wachusett Regional High School. The salute to the flag followed. There were 135 registered voters present. Ten persons without voting privileges were present. The Moderator waived the reading of the warrant.

ARTICLE 1. To choose a Moderator for said meeting. No action being necessary, the Article was **passed over**.

ARTICLE 2. This Article having been acted upon previously, **no action was necessary** (election of officers). The Moderator announced the newly elected officers.

ARTICLE 3. **No action was necessary under this Article.** Moderator Balko noted that the Annual Town Report contained the reports of Town Officers, Boards, Commissions, and Committees. The 2013 Report was dedicated to Albert G. Ferron. Chairman Paul Challenger presented an update of the Mountview School Building Project. Finance Committee Chairman Joseph Dolak presented a brief overview on the status of the budget.

ARTICLE 4. On motion made by James Dunn it was **unanimously voted** that the Town, in accordance with Section 108 of Chapter 41 of the General Laws as amended, vote to fix the salaries and compensation of elective Town officers for the ensuing year as follows:

|  |          |
|--|----------|
| Moderator  | \$100.00 |
| Selectman-Chairman   | 1,150.00 |
| 2 <sup>nd</sup> Member                                       | 1,000.00 |
| 3 <sup>rd</sup> Member                                       | 1,000.00 |
| 4 <sup>th</sup> Member                                       | 1,000.00 |
| 5 <sup>th</sup> Member                                       | 1,000.00 |
| Trustees of Damon Memorial -<br>6 Members                    | None     |
| Wachusett Regional School District<br>Committee - 10 Members | None     |

ARTICLE 5. On motion made by Marilyn Foley it was **unanimously voted** to take no action under this article. (past debts and charges)

#### ARTICLE 6.

#1 -- A motion was made by Joseph Dolak that the Town vote to appropriate, to pay Town debts and charges for the ensuing year, the sum of \$5,151,384 for the proposed budget for GENERAL GOVERNMENT, item 1, substantially as shown on page 5 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY 2015 RECOMMENDED" and to raise said sum by transferring \$34,750 from the Water/Sewer Enterprise fund receipts for indirect costs, by transferring \$12,000 from the Solid Waste Enterprise fund receipts for indirect costs, by transferring \$50,000 from Overlay Surplus and by raising and appropriating \$5,054,634 to cover the balance; and to further authorize the Town Manager to transfer from the Town Manager Salary & Wages account various sums to the Salary & Wages accounts of other Town Departments, as the Town Manager may deem advisable to effect adjustments of salaries and wages in the ensuing fiscal year.

A motion was made by Jeremy Kurtz to amend the motion made under article 6-1, by including an additional appropriation of \$3,500 to fund the Economic Development Committee, such that the motion will be as follows:

That the Town vote to appropriate, to pay Town debts and charges for the ensuing year, a total sum of \$5,154,884, for the proposed budget for GENERAL GOVERNMENT, Item 1, substantially as shown on page 5 of the "TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET" under the heading "FY 2015 RECOMMENDED", and including \$3,500 for the Growth Management expense budget to fund Economic Development Committee activities, and to raise said total sum by transferring \$34,750 from the Water/Sewer Enterprise fund

## ADJOURNED ANNUAL TOWN MEETING MAY 19, 2014

receipts for indirect costs, by transferring \$12,000 from the Solid Waste Enterprise fund receipts for indirect costs, by transferring \$50,000 from Overlay Surplus and by raising and appropriating the \$5,058,134 to cover the balance; and to further authorize the Town Manager to transfer from the Town Manager Salary & Wages account various sums to the Salary & Wages accounts of other Town Departments, as the Town Manager made deem advisable to effect adjustments of salary and wages in the ensuing fiscal year.

The amendment carried by a standing vote of 78 Yes and 37 No. The main motion as amended passed by a **unanimous vote**.

#2 – On motion made by Peter Lacy it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$3,881,848 for the proposed budget for GENERAL GOVERNMENT DEBT, item 2, substantially as shown on page 6 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED” and to raise said sum by, by transferring \$71,871 from the Sewer Connection Fund, and by transferring \$1,829 from reserved bond premium in the hands of the Treasurer, and by raising and appropriating \$3,808,148 to cover the balance.

#3 – On motion made by John Lambert it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum \$4,549,133 for the proposed budget for PUBLIC SAFETY, item 3, substantially as shown on page 6 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED” and to raise said sum by transferring \$25,000 from the Wachusett Fund, and by raising and appropriating \$4,524,133 to cover the balance.

#4 – On motion made by Alan Berg it was **unanimously voted** that the Town appropriate, to pay Town debts and charges for the ensuing year, the sum of \$2,679,871 for the proposed budget for PUBLIC WORKS, item 4, substantially as shown on page 7 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED” and to raise said sum by transferring \$40,000 from the Water/Sewer Enterprise fund receipts for indirect costs, and by raising and appropriating \$2,639,871 to cover the balance.

#5 – On motion made by Peter Lacy it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum \$6,443,340 and to transfer the sum of \$74,750 to the general fund to cover indirect costs for the ensuing year, for the proposed budget for the WATER/SEWER ENTERPRISE FUND, item 5, substantially as shown on page 7 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED” and to raise said total sum of \$6,518,090 by transferring \$680,000 from Water/Sewer free cash in the hands of the Treasurer and to raise the sum of \$5,838,090 through fees and charges to cover the balance.

#6 – On motion made by Karl Makela it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$345,351 for the proposed budget for HUMAN SERVICES, item 6, substantially as shown on page 8 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED.”

#7 – On motion made by Paul Challenger it was **unanimously voted** that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$796,215 for VOCATIONAL EDUCATION which is a part of the Proposed Education Budget, item 7, as printed on page 8 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED.”

#8 – A motion was made by Marilynn Foley that the Town raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$798,593 for the proposed budget for CULTURE, item 8, substantially as shown on page 8 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED.”

A motion was made by Robert Lavigne to amend the motion made under Article 6-8, by including an additional appropriation of \$10,000 for the Library books budget, such that the motion will be as follows:

That the Town vote to raise and appropriate, to pay Town debts and charges for the ensuing year, the sum of \$808,593 for the proposed budget for CULTURE, Item 8, substantially as shown on page 8 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED.”, and including \$10,000 for the Library books budget.

The main motion as amended passed **unanimously**.

## ADJOURNED ANNUAL TOWN MEETING MAY 19, 2014

#9 – On motion made by David White it was **unanimously voted** that the Town appropriate, to pay direct debts and charges for the ensuing year, the sum of \$1,135,423 and to transfer the sum of \$12,000 to the general fund to cover indirect costs for the ensuing year, for the proposed budget for the SOLID WASTE ENTERPRISE FUND, item 9, substantially as shown on page 9 of the “TOWN MEETING HANDBOOK RECOMMENDATIONS CONCERNING THE BUDGET” under the heading “FY 2015 RECOMMENDED” and to raise said total sum of \$1,147,423 by transferring \$30,000 from Solid Waste Free Cash, and in the hands of the Treasurer and to raise the sum of \$1,117,423 through fees and charges to cover the balances.

ARTICLE 7. On motion made by Paul Challenger it was **unanimously voted** that the Town raise and appropriate the sum of \$19,457,413 for the Town’s share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year, such sum to include the Town’s so-called required Local Minimum Contribution, debt service and transportation, such amount to be paid to the Wachusett Regional School District.

ARTICLE 8. On motion made by Paul Challenger it was **unanimously voted** that the Town raise and appropriate the sum of \$2,993,816 for the Town’s share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year to supplement the appropriation made under Article 7 of the warrant for this town meeting, it being understood that by appropriating \$2,993,816 under this Article 8 and \$19,457,413 under Article 7 of the warrant for this town meeting, for a total appropriation by the Town to the Wachusett Regional School District of \$22,451,229, the Town thereby approves a budget of \$81,307,859 for the fiscal year 2015 for the Wachusett Regional School District.

ARTICLE 9. On motion made by Alan Berg it was **unanimously voted** that the Town appropriate the sum of \$148,300 to be added to the Department of Public Works Depreciation Fund, and to raise said sum by transferring the amount of \$50,000 from available funds in the hands of the Treasurer, and by raising and appropriating \$98,300 to cover the balance, and that the Town appropriate and transfer from the Department of Public Works Depreciation Fund the sum of \$48,300 to pay debt service for the borrowing for the purchase of a Dump Truck equipped with Plow and Spreader.

ARTICLE 10. On motion made by James Dunn it was **unanimously voted** that the Town accept and expend all monies to be received from the Commonwealth of Massachusetts under Chapter 90 of the General Laws for highway purposes, or any other legislation adopted by the General Court relating to public works.

ARTICLE 11. On motion made by David White it was **unanimously voted** that the Town appropriate the sum of \$67,000 to the Water/Sewer Stabilization Fund which shall be subject to all the restrictions imposed on the use of the Town’s Water/Sewer Enterprise Fund by Massachusetts General Laws Chapter 44, Section 53F 1/2 and to raise said sum by transferring \$67,000 from available funds in Water-Sewer Enterprise Fund.

2/3rds VOTE REQUIRED

ARTICLE 12. On motion made by John Lambert it was **unanimously voted** that the Town appropriate the sum of \$191,200 to be added to the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund, established pursuant to MGL Chapter 40 §5B, and to raise said sum by transferring \$58,652 from available funds in the hands of the Treasurer, and by raising and appropriating \$132,548 to cover the balance, and transfer from the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund the sum of \$41,200 to pay debt service for the borrowing for the acquisition of Engine 4.

2/3rds VOTE REQUIRED

ARTICLE 13. On motion made by Joseph Dolak it was **unanimously voted** that the Town appropriate the sum of \$677,860 to be added to the Stabilization Fund and to raise said sum by transferring the amount of \$677,860 from available funds in the hands of the Treasurer.

2/3rds VOTE REQUIRED

ARTICLE 14. On motion made by Joseph Dolak it was **unanimously voted** that the Town appropriate the sum of \$2,935,500 for the purpose of acquiring capital items substantially as shown on page 10 of the “TOWN MEETING HANDBOOK FY 2015 CAPITAL BUDGET,” and to raise said sum by raising by taxation the sum of \$1,285,500, by borrowing the sum of \$500,000 under G.L. Chapter 44, Section 8, clause (7C), or any other enabling authority, which borrowing relates to the acquisition of a new Ambulance for the Fire Department and a new Loader with Wing Plow for the DPW Highway Division, and by borrowing the sum of \$1,150,000 which borrowing relates to the Water-Sewer Division of the Department of Public Works, and to that end that the Treasurer, with the approval of the Selectmen, be authorized to issue bonds and notes therefore totaling \$1,650,000.

2/3rds VOTE REQUIRED

ARTICLE 15. On motion made by David White it was **passed by majority** that the Town raise and appropriate the sum of

**ADJOURNED ANNUAL TOWN MEETING MAY 19, 2014**

\$75,000 for the purpose of completing improvements to the heating system at the Dawson Elementary School, including the conversion from an oil heating system to a natural gas heating system.

ARTICLE 16. : A Motion was made by Alan Berg that the Town take no action under this Article.

A motion was made by Robert Lavigne to amend the motion made under Article 16 to provide for an appropriation into the Other Post Employment Benefits Trust Fund, such that the motion will be as follows:

That the Town vote to transfer from available funds in the hands of the Treasurer the sum of \$300,000 to be deposited into the Town's Other Post Employment Benefits Liability Trust Fund, established under Article 30 of the May 18, 2009 Annual Town Meeting pursuant to the provisions of MGL Chapter 32B, Section 20.

The amended motion **failed by a majority voice vote** and the original motion **passed by majority**.

ARTICLE 17. On motion made by James Dunn it was **unanimously voted** that the Town vote to continue a Recreation Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 and Chapter 408 of the Acts of 1996 for use by the Recreation Department into which shall be deposited recreation user fees, exclusive of After School Program fees, such fund to be used only to defray the expenses of the Town Recreation Programs, provided that the expenditures from such Fund shall not exceed \$445,065

ARTICLE 18. On motion made by Marilyn Foley it was **unanimously voted** that the Town vote to continue a Cable Television Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 for use by the Town Manager into which shall be deposited all monies received from the Cable TV provider, such Fund to be used to defray the cost of equipment, salaries and other expenses incurred by the Town in connection with the public, educational and governmental access programming contemplated by the CATV license granted by the Town, provided that the expenditures from such Fund shall not exceed \$304,960.

ARTICLE 19. On motion made by Marilyn Foley it was **unanimously voted** that the Town continue an Inspection Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 for use by the Inspection Department into which shall be deposited permit fees paid for various building components, such Fund to be used to defray the cost of salaries and other expenses incurred by the Town in connection with professional inspections for all building construction and renovation activities, and for all electrical, mechanical, plumbing and gas fitting work providing inspection services for various building projects, provided that the expenditures from such Fund shall not exceed \$241,829.

ARTICLE 20. On motion made by Paul Challenger it was **unanimously voted** that the Town appropriate the sum of \$421,503 to be added to the Town of Holden Infrastructure Investment Fund and to raise said sum by raising and appropriating the sum of \$398,614 and by transferring \$22,889 from the Recreation Revolving Fund.

ARTICLE 21. On motion made by Deborah McDonnell it was **unanimously voted** the Town appropriate the sum of \$547,889 to pay fiscal year 2015 debt service for the Municipal Pool Facilities Construction Project and the Public Safety Facility Construction Project and to raise said sum by appropriating and transferring \$547,889 from the Infrastructure Investment Fund.  
**2/3rds VOTE REQUIRED**

ARTICLE 22. On motion made by Karl Makela it was **unanimously voted** that the Town amend the vote under Article 14 of the Annual Town Meeting on May 20, 2013, so that such vote appropriates and authorizes the borrowing of \$525,000 pursuant to G.L. Chapters 44 and/or 29C, or any other enabling authority, for the purpose of water main installation and SCADA improvement projects relating to the Water-Sewer Division of the Department of Public Works, instead of for the Avery Heights Tank Painting project; and to that end, the Treasurer with the approval of the Selectmen is authorized to issue bonds and notes for such water main installation and SCADA improvement projects in the aggregate amount of \$525,000.

**2/3rds VOTE REQUIRED**

ARTICLE 23. On motion made by Paul Challenger it was **unanimously voted** that no action be taken under this Article. (offsetting debt service to Mountview Middle School)

ARTICLE 24. On motion made by Anthony Renzoni it was **unanimously voted** to permit the use of the Town Hall for the next year at less than the fair rental value to: John E. Harkins Post #42 American Legion, Boy and Girl Scout Troops of Holden, the Veterans of Foreign Wars, Women's Auxiliary of the John E. Harkins Post #42, Women's Auxiliary of the

**ADJOURNED ANNUAL TOWN MEETING MAY 19, 2014**

Veterans of Foreign Wars, the Holden Baseball Program, Inc., League of Women Voters, 4-H Club, Rainbow Girls, the Grange, the White Oak Land Conservation Society, Inc., Holden Citizens for Responsible Energy, Holden Republican Town Committee, Holden Democratic Town Committee, Holden Associated Taxpayers and Holden for Children.

ARTICLE 25. On motion made by Anthony Renzoni it was **unanimously voted** that the Town authorize the sum of \$137,304 of the excess of the income of the Municipal Light Department for the calendar years 2014 and 2015 over and above the total expense of the plant as defined in the General Laws, as an item of income to be used by the Assessors in establishing the tax rate for the fiscal year commencing July 1, 2014.

ARTICLE 26. On motion made by Jeremy Kurtz it was **unanimously voted** that the Town income from the sale of electricity to private consumers, of electricity supplied to municipal buildings, and for municipal power, and of sales of appliances and from jobbing during the calendar year commencing January 1, 2014 be appropriated for the Municipal Light Department, the whole to be expended for the expense of the department for said calendar year, and that if the income exceeds the expense of the department for said calendar year, such part thereof as the Town may vote shall be retained by the Town Treasurer in accordance with applicable law and any further excess shall be transferred to the Depreciation Fund, the Construction Fund, and the Rate Stabilization Fund of said Municipal Light Plant as may be hereafter authorized by the Board of Light Commissioners as outlined in Massachusetts General Laws, Chapter 164, Section 57.

ARTICLE 27. On motion made by Anthony Renzoni it was **unanimously voted** that no action be taken on this Article.  
(Street Acceptances)

ARTICLE 28. On motion made by Robert Lavigne it was **voted by majority** that the Town make available for disposition and authorize the Town Manager to dispose of by sale, upon such terms and conditions as the Town Manager deems to be in the best interest of the Town, a portion of the Town-owned property located at and known as 175 Highland Street with a building thereon, said property is shown on a sketch plan entitled "Town-owned Properties at 175 Highland Street, Holden, MA", dated April 30, 2014, on file in the Town Clerk's Office and shown as Parcel 54, Parcel 147 and being a portion of the land shown as Parcel 48, all on Assessor's Map 131, and to deposit the proceeds from the sale of said property, when received, to the Infrastructure Investment Fund.

ARTICLE 29. On motion made by Robert Lavigne it was **unanimously voted** that the Town make available for lease, upon such terms and conditions as the Town Manager deems to be in the best interest of the Town, space on the Steele Street Water Tank and any appurtenant property, located on Steele Street and shown on Assessor's Map 202, Parcel 113, for the siting of personal wireless communications facilities.  
**2/3rds VOTE REQUIRED**

ARTICLE 30. On motion made by Jeffrey Head it was **unanimously voted** that the Town amend the Holden Zoning Bylaw by (i) inserting in Section II, entitled "Definitions", a new definition concerning "Registered Marijuana Facility"; (ii) inserting in Section V, Table 1, entitled "Use Regulations", a new use entitled "Registered Marijuana Facility"; and (iii) inserting in Section XI, entitled "Administration and Enforcement" a new Section XI J.3.(k), to be entitled "Registered Marijuana Facilities", to read as set forth in the document so entitled and on file in the Town Clerk's Office dated April 29, 2014.  
**2/3rds VOTE REQUIRED**

Voted to adjourn the meeting at 10:00 p.m.

A true copy.

Attest:

---

Cheryl A. Jenkins  
Town Clerk